



CITY OF MEMPHIS

COUNCIL AGENDA

Tuesday December 21, 2021

Public Session, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

*If You Are In Need Of A Special Accommodation While
Attending The Meeting, Please Alert The Council Staff.*

CALL TO ORDER by the Sergeant-at-Arms

INVOCATION

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Chief of Staff of the Memphis City Council.

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (December 7, 2021)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION honoring Anthony "AJ" Foster for his record of academic excellence as a high school scholar within the Memphis community. This resolution is sponsored by Councilwoman Easter-Thomas.
2. RESOLUTION approving an Honorary Street Name Change of Mallory Avenue between Third Street and Riverport Road for Alonzo Grant, Jr. and Bernice Crawford Grant. District 6, Super District 8. This resolution is sponsored by Councilman Ford. **(Request for same night minutes)**
3. RESOLUTION thanking Administrator Josh Whitehead for his many years of service to the City of Memphis and congratulating him on his future endeavors. This resolution is

sponsored by Councilman Canale.

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT

4.
Canale
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving the Holmes Road Vehicle Service Center- Truck Stop and Retail Building at the subject property located at 3670 Holmes Road. This resolution is sponsored by the Division of Planning and Development.

Case No. PD 21-36

Applicant: Malik Rupani
Dedrick Brittenum (Representative)

Request: Truck Stop and Retail Building at the northwest corner of Getwell and Holmes

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

5.
Canale
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a special use permit for a vehicle wash establishment at part of 4704 Yale Rd. This resolution is sponsored by the Division of Planning and Development. (Held from 12/7)

Case No. SUP 21-26

Applicant: Max Alley Investments, LLC
Cindy Reaves of SR Consulting, LLC (Representative)

Request: 1) a special use permit for a vehicle wash establishment and
2) a modification to the Raleigh Plaza Shopping Center General Plan to remove a restriction on the number and size of detached signs *Note: LUCB declined to forward the applicant's second request to the Council, pursuant to Section IV.D.4 of the Board's bylaws.

LUCB and DPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

6.
Canale
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a special use permit for light manufacturing of metal products at 3050 Lamar Ave. This resolution is sponsored by the Division of Planning and Development.

Case No. SUP 21-33

Applicant: Twisted Dimensions, Inc.
Cindy Reaves of SR Consulting, LLC (Representative)

Request: Special use permit for light manufacturing of metal products

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

ZONING ORDINANCE- THIRD AND FINAL READING (None)



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CONSENT AGENDA

GENERAL ORDINANCES- FIRST READING

7. **REFERENDUM ORDINANCE** amending Article 27, Section 190 of the charter of the City of Memphis, same being Chapter 11 of the Acts of 1879, as amended, and relative amendments thereto pursuant to the provisions of Article 11 Section 9 of the constitution of the state of Tennessee (home rule amendment) to allow specified personnel employed with the divisions of Police and Fire Services to reside within 50 miles from the city of Memphis, up for F I R S T reading. Ordinance No. 5814 is sponsored by Councilman Morgan and Councilman Canale.

Warren
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Negative recommendation

8. **ORDINANCE** for designation of qualified public use facility, creation of the Peabody Hotel Tourism Development Zone, Tourism Surcharge, and otherwise providing with to the foregoing, up for F I R S T reading. Ordinance No. 5815 is sponsored by the Downtown Memphis Commission and Center City Revenue Finance Corporation.

Ford
Chairman,
Economic
Development
& Tourism
Committee

ACTION REQUESTED: Adopt the ordinance on First reading

9. **ORDINANCE** renaming Fourth Street between Union Avenue and E.H. Crump Boulevard as Ida B. Wells-Barnett Street, up for F I R S T reading. Ordinance No. 5816 is sponsored by Councilmembers Easter-Thomas, Canale, Carlisle, Colvett, Ford, Johnson, Jones, Logan Morgan, Robinson, Swearingen, Smiley, and Warren.

Canale
Chairman,
Planning &
Zoning
Committee

ACTION REQUESTED: Adopt the ordinance on First reading

GENERAL ORDINANCE - SECOND READING

10. **ORDINANCE** to amend Chapter 25-200, Section 1 of the City of Memphis Code of Ordinances governing the city's pension system to allow certain individuals to extend participation in the Deferred Retirement Option Plan, up for S E C O N D reading. Ordinance No. 5813 is sponsored by the Administration.

Carlisle
Chairman,
Personnel &
Governmental
Affairs

ACTION REQUESTED: Adopt the ordinance on Second reading

Committee

ZONING ORDINANCE – FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION

11. RESOLUTION approving the engineering plans entitled 481 EAST MALLORY AVENUE STORAGE, LLC.

Contract No. CR-5391

Resolution approves the engineering plans for a development within the present limits of Memphis and located at 481 Mallory Avenue in the City of Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the standard improvement contract and accept the Charter Bank Letter of Credit No. 120016885 in the amount of \$73,600.00 on behalf of the City.

ACTION REQUESTED: Adopt the resolution

GENERAL ITEMS (None)



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FISCAL CONSENT AGENDA

12. RESOLUTION accepting State appropriation grant funds of (\$1,300,000.00) from State of Tennessee Department of Finance and Administration for the Levitt Shell. Council District 5, Super District 9. This resolution is sponsored by Memphis Parks. **(Request for same night minutes)**

13. RESOLUTION to accept grant funds in the amount of (\$35,000.00) from PetSmart to fund major lifesaving initiatives. All Council Districts. This resolution is sponsored by Memphis Animal Services. **(Request for same night minutes)**



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MLGW FISCAL CONSENT

14. RESOLUTION approving the execution of Contract No. 12325 between MLGW and the City of Germantown for the sale to Germantown providing certain MLGW water infrastructure assets within the previously annexed area by Germantown, for a purchase price of \$58,588.65. (Held from 12/7)
15. RESOLUTION awarding a three-year purchase order to Thomas Consultants, Inc. for Entrust certificate subscription renewals in the amount of \$61,572.82. **(Request for Same Night Minutes)**
16. RESOLUTION awarding Contract No. 12257, Synergy to Thomas Consultants, Inc., in the funded amount of \$536,477.33.
17. RESOLUTION approving Change No. 1 to Contract No. 12202, Network Maintenance with ConvergeOne, Inc., in the funded amount of \$1,995,928.34. (This change is to renew the current contract for the first of four annual renewal terms for the period covering February 15, 2022 through February 14, 2023. In addition, this change is to increase the current contract value for additional support services and price rate increases due to the Covid-19 Pandemic).
18. RESOLUTION approving renewal of Cooperative Agreement No. 5447 USGS/MLGW investigation of Water Resources, for the period of January 1, 2022 to December 31, 2023 stipulating that a sum of \$174,000.00 will be furnished by the Division and like sum will be furnished by United States Department of Interior Geological Survey.
19. RESOLUTION approving Change No. 2 to Contract No. 12122, Audit Assurance and Advisory Services with Banks, Finley, White & Company, in the funded amount of \$200,000.00. (This change is to renew the current contract for the second of four annual renewal terms for the period covering January 6, 2022 through January 5, 2023, with no increase in rates from the previous year.)
20. RESOLUTION adopting the following amendments to the Memphis Light, Gas and Water Division Retirement and Pension System, as amended and restated effective January 1, 2015: 1.) Article VI, Section 6.1 Normal Retirement Benefit, subparagraph (b)Minimum Benefit, shall be amended by the addition of new subsections (1)(iii) and 2(iii); 2.) Article VI, Section 6.3 Ordinary Disability Retirement Benefit, subparagraph (b)Minimum Benefit, shall be amended by the addition of new subsections (1)(iii) and 2(iii); 3.) Article VI, Section 6.4 Disability in Line of Duty Retirement Benefit, subparagraph (b)Minimum Benefit, shall be amended by the addition of new

subsection (1)(iii) and 2(iii); and 4.) Article VIII, Section 8.5 Minimum Death Benefit shall be amended by the addition of new subsection (a)(3) and b(3).

21. RESOLUTION awarding Contract No. 12306, Legal Research Services to West Publishing Corporation dba West, a Thomson Reuters business, in the funded amount of \$226,487.88.
22. RESOLUTION approving a position for a Computer Software Specialist 3.



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REGULAR AGENDA

APPOINTMENTS

23. **MEMPHIS & SHELBY COUNTY AIRPORT AUTHORITY**

Carlisle

Chairman,

Personnel &

Governmental

Affairs

Committee

Appointment

Belinda Anderson

24.

Carlisle

Chairman,

Personnel &

Governmental

Affairs

Committee

DEPUTY CITY COURT CLERK

Appointment

Calvin Williams

(Held from 12/7)

GENERAL ORDINANCE THIRD AND FINAL READING

25.

Colvett

Chairman,

Executive

Session

ORDINANCE to establish Meeting dates for 2022, up for T H I R D and F I N A L reading. Ordinance No. 5812 is sponsored by Chairman Colvett.

ACTION REQUESTED: Take whatever action Council deems advisable

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION

26.

Smiley

Chairman,

Public Works,

Solid Waste &

General Services

RESOLUTION to transfer and appropriate (\$46,000.00) in G.O. Bond funding for CIP FY22 Project #EN01110 Safety Development, Safety Improvement at N. Watkins and Corning Ave. Mill Ave. and N. Third St. and Dellwood Ave and St Charles Dr. Council District 7, Super District 8. This resolution is sponsored by the Engineering Division.

ACTION REQUESTED: Adopt the resolution

Committee

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES

27. RESOLUTION requesting the approval for the sale of (3) City owned parcels located at 0.N. Bellevue, 765 N. Bellevue and 0 Randle in Memphis, Shelby County, Tennessee and further described as Parcels ID#s 021035 00010, 021035 00011, and 021104 00031. Revenue to be received (\$9,000.00). Council Districts 7, Super District 8. This resolution is sponsored by General Services.

Smiley
Chairman,
Public Works,
Solid Waste &
General Services
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION TECHNOLOGY (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MLGW DIVISION

28. RESOLUTION to approve the 2022 Electric, Gas and Water Operations and Capital Budget. This resolution is sponsored by MLGW Division. (Held from 11/16)

Robinson
Chairman,
MLGW
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF PARKS AND NEIGHBORHOODS (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

GENERAL ITEMS

29. RESOLUTION vetoing report and recommendation of MLGW/IBEW Impasse Committee approving the last best offer of IBEW. All Council Districts. This

resolution is sponsored by Councilman Canale. (Held from 12/7)

ACTION REQUESTED: Adopt the resolution

This item will be withdrawn per item #30 on the agenda

30. RESOLUTION terminating impasse procedure. All Council Districts. This resolution is sponsored by Councilman Colvett.

ACTION REQUESTED: Adopt the resolution

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT